

Plaintiff's Trial Exhibits with Defendant's Objections

PTX	Date	Bates Range	Author	Description	Def Objections
PTX0243	08/00/1999	SBPL00263025	SBPL00263029	Velez, N	FDA Contact Report re teleconference
					Subject to motion in limine re internal documents as evidence of non-obviousness; subject to motion in limine re documents purporting to show FDA's opinion; hearsay (Rule 802); authenticity (Rule 901); relevance (Rule 402, 403)

Bayer Schering Pharma AG and Bayer HealthCare Pharmaceuticals Inc. v Barr Laboratories, Inc.
Civil Action No. 05cv2308 (PGS)(ES)
Judge Peter G. Sheridan
Magistrate Judge Esther Salas

Bayer Schering Pharma AG v Barr Laboratories
Barr Laboratories Trial Exhibit List

Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-1	SBPL 00104049	SBPL 00104087	Research Report No. A187	
DX-2	SBPL 00031510	SBPL 00032615	Study Report No. A151	
DX-3	SBPL 00019935	SBPL 00021273	Study Report No. AJ06	
DX-4	SBPL 00017952	SBPL 00018237	Study Report No. 9693	
DX-5			W. Krause et al., <i>Determination of Plasma Levels of Spirorenone, a New Aldosterone Antagonist, and One of its Metabolites by High-Performance Liquid Chromatography</i> , Journal of Chromatography, 1982, Vol. 230, at 37-45.	
DX-6			W. Krause et al., <i>Pharmacokinetics of the New Aldosterone Antagonist, Spirorenone, in Healthy Volunteers After Single and Repeated Daily Doses</i> , European Journal of Clinical Pharmacology, 1983, Vol. 25, at 231-36.	
DX-7			Werner Krause and Gerhard Kuhne, <i>Isolation and Identification of Spirorenone Metabolites from the Monkey (Macaca Fascicularis)</i> , Steroids, 40:81-90 (1982)	
DX-8			U.S. patent No. 6,787,531	
DX-9			Slide re Progesterone Structure	801, 802 -- this is a demonstrative not evidence and is inadmissible hearsay; does not come from prior art
DX-10	SBPL 02404120	SBPL 02404142	Research Report No. A370	
DX-11			Stanczyk, <i>Structure-Function Relationships, Potency, and Pharmacokinetics of Progestogens</i> , (1994) at 69-89	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-12			Slide re Racemic Mixture of Norgestrel Enantiomers	401, 402, 403 -- this is a demonstrative not evidence; does not come from prior art
DX-13	SBPL 02797065	SBPL 02797193	Research Report No. A166	
DX-14	SBPL 02598167	SBPL 02598171	Hartmut Blode, <i>Pharmacokinetics of Drospirenone</i> , Gynecology Forum 7(1):18-22 (2002)	
DX-15	SBPL 00012031	SBPL 00012465	Research Report No. A733	
DX-16	SBPL 02799041	SBPL 02799733	Research Report No. A951	
DX-17	SBPL 02680812	SBPL 02680865	Final Report Version 1.0 No. 308064	
DX-18	SBPL 00010526	SBPL 00010535	Andreas Baumann et al., <i>Use of Rat and Human Liver Slices for the Detection of Steroid Hormone-Induced DNA-Adducts in vitro by Means of the P-Postlabeling Technique</i> , Pharmacology & Toxicology 78:214-223 (1996).	401, 402, 403 -- article not relevant to any of Defendant's validity defenses; not cited in any of Defendant's expert reports or disclosed in any of Defendant's interrogatory responses
DX-19	SBPL 02615895	SBPL 02615900	E-mail re Isomerization of drospirenone (ZK 30595) into ZK 35096	
DX-20	SBPL 02323247	SBPL 02323253	Drospirenone (ZK30595) Cytochrome P450 Interaction/Clinical Studies	401, 402, 403 -- not relevant to any claim or defense in this case
DX-21	SBPL 00710845	SBPL 00710854	Letter of Understanding submitted to the FDA from Berlex Laboratories	
DX-22			Figures 1-3	
DX-23			Yasmin product label	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-24			Yasmin prescription data	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-25	SBPL 02677734	SBPL 02677805	Yasmin Business Plan	
DX-26	SBPL 02399942	SBPL 02399982	Minutes from the 6th Meeting of DRSP Team	
DX-27	SBPL 01006163	SBPL 01006322	Schering Annual Report 2003	
DX-28			Sales Data	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-29			Product Contribution Margin Statement	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-30			Yasmin Detailing Cost 2001 - 2007	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-31			Retail Value of Samples	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-32			Direct-to-consumer Advertising	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-33			Yasmin Promotional Expenses 2000 - 2007	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-34			Y. Prammar et al., <i>Preformulation Studies of Spironolactone; Effect of pH, Two Buffer Species, Ionic Strength, and Temperature on Stability</i> , Journal of Pharmaceutical Sciences, June 1991, Vol. 80(6), at 551-53.	
DX-35			Y. Prammar et al., <i>Quantitation of Spironolactone in the Presence of Canrenone Using High-Performance Liquid Chromatography</i> , Drug Development and Industrial Pharmacy, 1991, Vol. 17(5), at 747-61.	

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DX-36			Y. Prammar et al., <i>Development of a stable oral liquid dosage form of spironolactone</i> , Journal of Clinical Pharmacology and Therapeutics, 1992, Vol. 17, at 245-48.	
DX-37			Pharmaceutical Society of Great Britain, et al., "Digoxin," The Pharmaceutical Codex: Principles and Practice of Pharmaceutics, Eleventh Ed., The Pharmaceutical Press, London 1979, 283	
DX-38			Ang, et. al., <i>Radionuclide measurement of liquid and solid gastric emptying in normal subjects in Singapore</i> , Ann Acad Med Singapore, 1986 Oct;15(4):511-5.	
DX-39	SBPL 00002490	SBPL 00002496	Research Report No. 4627	
DX-40			International Publication Number WO 97/11680	
DX-41			U.S. Patent No. 5,922,349	
DX-42			Joel T. Hargrove, et al., <i>Absorption of Oral Progesterone Is Influenced by Vehicle and Particle Size</i> , American Journal of Obstetric Gynecology, Vol. 161, No. 4, 948-951, October 1989	
DX-43			U.S. Patent No. 4,002,718	
DX-44	SBPL 03500618	SBPL 03500680	Declaration of Lipp	
DX-45	SBPL 03500740	SBPL 03500866	Declaration of Ellman	
DX-46	BARR-DR-025548	BARR-DR-025554	W. Oelkers et al., <i>Effects of a New Oral Contraceptive Containing an Antimineral-corticoid Progestogen, Drospirenone, on the Renin-Aldosterone System, Body Weight, Blood Pressure, Glucose Tolerance, and Lipid Metabolism</i> , Journal of Clinical Endocrinology and Metabolism, June 1995, Vol. 80(6), at 1816-21.	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering-Objection
DX-47	SBPL 00074890	SBPL 00074895	W. Oelkers et al., <i>Dihydrospirorenone, A New Progestogen with Antimineral-corticoid Activity: Effects on Ovulation, Electrolyte Excretion, and the Renin-Aldosterone System in Normal Women</i> , J. Clin. Endo. & Metab. 1991; 73:837-42	
DX-48	M-P 00001242	M-P 00001246	U.S. Patent No. 5,824,667	
DX-49	M-P 00000951	M-P 00000955	Declaration of Duesterberg	
DX-50			U.S. Patent No. 4,129,564	
DX-51			Patent DE 3022337 A1	
DX-52	SBPL 02322672	SBPL 02322698	Expert Report on Yasmin by B. Duesterberg and H. Blode	
DX-53	M-P 00001996	M-P 00002001	Declaration of Elliesen	
DX-54	M-P 00000218	M-P 00000224	Office Action Summary for Application No. 09/654,227	
DX-55			Patent WO 98/04269	
DX-56	M-P 00000194	M-P 00000201	Office Action Summary for Application No 09/654,227	
DX-57			U.S. Patent No. 5,534,270	
DX-58	M-P 00002386	M-P 00002411	Reply to the 6/4/03 Office Action re 09/654,227	
DX-59	M-P 00000211	M-P 00000215	Declaration of Elliesen	
DX-60			Fred. A. Kincl, et al., <i>Short Communication: Increasing Oral Bioavailability of Progesterone By Formulation</i> , Journal of Steroid Biochemistry, Vol. 9, 83-84, 1978	
DX-61	M-P 00000433	M-P 00000475	Protocol 96049B	
DX-62	M-P 00000477	M-P 00000488	Letters to participants in Berlex Laboratories Study No. 95049	
DX-63	SBPL 00604014	SBPL 00604015	Memo re Interim Visit	
DX-64	M-P 00000489	M-P 00000543	Berlex Laboratories Confidential Investigator's Brochure re Drospirenone and Ethinyl Estradiol	
DX-65	SBPL 00407483	SBPL 00407506	Trial Master File 92052	
DX-66	M-P 00000598	M-P 00000606	Informed Consent	
DX-67	SBPL 00076299	SBPL 00076304	Investigational New Drug Application for Oral Contraceptive	

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DX-68			M. Aulton, Pharmaceuticals: The Science of Dosage Form Design, (1988) Chapter 1, page 6; Chapter 9, page 136	
DX-69	SBPL 02902458	SBPL 02902468	Research Report No. 4320/H	
DX-70	SBPL 00102254	SBPL 00102267	Yasmin Business Plan	
DX-71	SBPL 02305892	SBPL 02305899	25th Project Team Meeting	
DX-72	SBPL 02314049	SBPL 02314055	27th Project Team Meeting	
DX-73	SBPL 02593384	SBPL 02593322	Client Contact Report re Yasmin Concepts for Market Research	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records
DX-74	SBPL 02606024	SBPL 02606025	Summary re Reporting Data	
DX-75	SBPL 02588858	SBPL 02588858	Yasmin Marketing Strategies 2002	
DX-76	SBPL 02599496	SBPL 02599497	E-mail re Kaiser - Yasmin	
DX-77	SBPL 02630480	SBPL 02630480	E-mail re Yasmin Best Price	
DX-78	SBPL 02574362	SBPL 02574364	Yasmin Pricing Considerations	
DX-79	SBPL 02602331	SBPL 02602352	Market Research Information	
DX-80	SBPL 01001196	SBPL 01001202	Marketing Information	
DX-81	SBPL 02771872	SBPL 02771872	Graph re Yasmin Gross and Net Price per Cycle	
DX-82	SBPL 00950919	SBPL 00950920	E-Mail re Artwork	
DX-83	SBPL 00923241	SBPL 00923243	E-mail re UK Yasmin Study 305043	
DX-84	SBPL 02591237	SBPL 02591238	2003 Yasmin Incentive Plan	
DX-85	SBPL 02594604	SBPL 02594604	E-mail re 2003 Yasmin Target	
DX-86	SBPL 02580793	SBPL 02580796	Yasmin 2003 DTC Budget Recap	
DX-87	SBPL 02601967	SBPL 02601975	E-mail re Yasmin growth rate changes	
DX-88	SBPL 02577429	SBPL 02577430	Contact report	
DX-89	SBPL 02598904	SBPL 02598904	E-mail re Yasmin US Outlook	
DX-90	SBPL 02655711	SBPL 02655711	Graph re Particle Size Ranges and Assessment	
DX-91	SBPL 02460624	SBPL 02460630	Declaration of Funke	
DX-92			German Article	
DX-93			German Article	
DX-94	SBPL 02419913	SBPL 02419945	Working Report No. MK02E010	
DX-95	SBPL 02301750	SBPL 02301758	PCME Technical Exchange Meeting Drosiprenone	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-96	SBPL 02314714	SBPL 02314722	Minutes of the PCME Technical Exchange Meeting on Yasmin 30, DE-00470	
DX-97	SBPL 00041369	SBPL 00042261	Research Report No. 9970	
DX-98	SBPL 02444743	SBPL 02444750	10th Project Team Meeting	
DX-99	SBPL 02453577	SBPL 02453584	11th Project Team Meeting	
DX-100	SBPL 02444729	SBPL 02444732	Minutes of the DRSP-OC Meeting	
DX-101	SBPL 02453554	SBPL 02453554	14th Project Team Meeting	
DX-102	SBPL 00087861	SBPL 00087975	Research Report No. 6632	Defendant's exhibit consists of several documents, well in excess of Research Report 6632; Plaintiffs object to the inclusion of these other unrelated document
DX-103	SBPL 02287828	SBPL 02287859	Research Report No. 6737	
DX-104	SBPL 02797459	SBPL 02797478	Research Report No. 7707	
DX-105	SBPL 00524491	SBPL 00524548	Research Report No. 8235	
DX-106	SBPL 02450241	SBPL 02450250	Research Report No. 8855	
DX-107	SBPL 02555936	SBPL 02555951	Research Report No. A892	
DX-108	SBPL 02555828	SBPL 02555874	Research Report No. A376	
DX-109	SBPL 02285768	SBPL 02285770	Status Report	
DX-110	M-P 00000187	M-P 00000190	Statement for Correction of Inventorship	
DX-111	M-P 00000182	M-P 00000183	Request for Correction of Inventorship	
DX-112	M-P 00002337	M-P 00002359	Amendment Related to Inventorship Issues and Formal Matters	
DX-113	M-P 00000098	M-P 00000102	Notice of Allowability	
DX-114	SBPL 02556632	SBPL 02556669	Working report, "SH T 470 FA Film-coated Tablets Development of Formulation and Manufacturing Process"	
DX-115	SBPL 02264515	SBPL 02264518	Minutes of the PCME Working Group Yasmin 30 DE-00470, 22nd meeting	
DX-116	SBPL 01030254	SBPL 01030259	Office Action issued by the Examiner from the PTO	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-117	M-P 00000968	M-P 00000979	Development of a New Tablet Formulation of Theophylline: In Vitro and In Vivo Studies	
DX-118			Arias et al., <i>Dissolution Properties and in vivo Behavior of Triamterene in Solid Dispersions with Polyethylene Glycol</i> , Pharm-Acta-Helv., 1996, Vol. 71(4), at 229-235.	
DX-119	M-P 00000983	M-P 00000987	Shah et al., <i>Preformulation Study Etoposide; Identification of Physicochemical Characteristics Responsible for the Low and Erratic Oral Bioavailability of Etoposide</i> , Pharmaceutical Research, May 1989, Vol. 6, at 408-412.	
DX-120			Berlin et al., <i>Phase I and Pharmacokinetic Study of Micronized Formulation of Carboxyamidotriazole, a Calcium Signal Transduction Inhibitor: Toxicity, Bioavailability and the Effect of Food</i> , Clinical Cancer Research, 2002, Vol. 8(1), at 86-94	
DX-121			Carlson et al., <i>Efficacy and Safety of Reformulated, Micronized Glyburide Tablets in Patients with Non-Insulin Dependent Diabetes Mellitus; a Multicenter, Double-blind, Randomized Trial</i> , Clinical Therapeutics, 1993, Vol. 15(5), at 788-96	
DX-122			Duclos et al., <i>About a Pharmacokinetic Study of Progesterone in Comelts</i> , Eur. J. Metab. Pharmacokinetic, 1990, Vol. 15(2), Suppl. Abstr. at 226	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-123			Fell et al., <i>Bioavailability of Griseofulvin from a Novel Capsule Formulation</i> , The Journal of Pharmacy and Pharmacology, 1978, Vol. 30(8), at 479-82	
DX-124			Froemming et al., <i>Lyophilized Preparations of Griseofulvins</i> , 2nd Communication, In vivo Release, Abstract of Pharm. Ind., 1986, Vol. 48(7), at 837-40	No objection to actual prior art reference; 801, 802, 901, Plaintiffs object to uncertified English translation attached to German prior art reference.
DX-125			Hartmann et al., <i>Comparison of Galenic Formulations of Orlistat (Tetrahydrolipstatin), A Pharmacological Approach</i> , Abstract of Drug Investigation, 1983, Vol. 5(1), at 44-50	
DX-126			Kohno et al., <i>Pharmacokinetics and Bioavailability of Diltiazem</i> , Abstract of Arzneimittel Forschung, 1977, Vol. 27(7), at 1424-1428	
DX-127			PubMed Abstract: GA McClelland et al., <i>The Solubility-modulated Osmotic Pump: In vitro/in vivo release of Diltiazem Hydrochloride</i> , 8(1):88-92 (Jan. 1991)	
DX-128	SBPL 02525183	SBPL 02525226	Clinical Study Proposal No. 307286	
DX-129	SBPL 02828657	SBPL 02828657	E-mail re Updated EURAS data	
DX-130	SBPL 00266619	SBPL 00266620	Cumulative analysis of case reports	
DX-131	SBPL 02869171	SBPL 02869171	E-mail regarding Yasmin global case assessment	
DX-132	SBPL 02907170	SBPL 02907172	E-mail re adverse reactions with Yasmin	
DX-133	SBPL 00027261	SBPL 00027265	Research Report No. AM90	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-134			Shulman LP, <i>Compliance and Contraception: Sharing Responsibility for Improving Outcomes</i> , The Female Patient, October 1997; 16-20	
DX-135			Peterson et al., <i>Women's Efforts to Prevent Pregnancy: Consistency of Oral Contraceptive Use</i> , Family Planning Perspective 30(1):19-23 (Jan./Feb. 1998).	
DX-136			Nikki B. Zite & Lee P. Shulman, <i>New Options in Contraception for Teenagers</i> , Current Opinion in Obstetrics and Gynecology 15:385-389 (2003).	
DX-137			Redmond GP et al., <i>Norgestimate and Ethinyl Estradiol in the Treatment of Acne Vulgaris: a Randomized, Placebo-Controlled Trial</i> , Obstet Gynecol. 1997; 89 (4): 615-22	
DX-138			21 CFR 312.21	401, 402, 403 -- the CFR is not evidence, the Court can take judicial notice of statutes and regulations
DX-139	SBPL 00450717	SBPL 00450717	Volunteer followup results re trial number 92052	
DX-140	SBPL 00091383	SBPL 00091384	Research Report No. 9692	

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DX-141			E-mail re 30(b)(6) designees	401, 402, 403 -- correspondence between counsel is not relevant to any claim or defense in this case; remainder of exhibit is Study Report 7797, which Defendant has already identified as a trial exhibit and is not connected with DX 141 in any respect
DX-142	SBPL 03501537	SBPL 03501558	Tack lecture re "Studies on pH-Dependent Isomerization of pregnene-17 21-Carbolactones-Are Gastric - Juice-Resistant Dosage Forms Necessary?"	
DX-143	SBPL 02415809	SBPL 02415818	Testing standard for stability testing of clinical service forms (coated tablets)	
DX-144	SBPL 02293918	SBPL 02293957	Research Study No. 92/127	
DX-145	SBPL 00017912	SBPL 00017951	Research Report No. 4417	Exhibit is incomplete, missing pages
DX-146	SBPL 02451350	SBPL 02451353	Minutes of the Second Meeting of the DHSP Project Team	
DX-147	BARR-DR-184529	BARR-DR-184532	Amendment to FDA re ANDA 77-527 for Drospirenone and Ethinyl estradiol tablets 3.0 mg/0.03 mg 28 Day Regimen	401, 402, 403 -- Defendant has stipulated to infringement, therefore Defendant's internal documentation regarding its generic product are not relevant

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-148	BARR-DR-184710	BARR-DR-184718	The Weinberg Group Inc. report re Audit of Bioequivalence Studies submitted for 3 mg Drospirenone/0.030 mg Ethinyl Estradiol Tablets (ANDA 77-527)	401, 402, 403 -- Defendant has stipulated to infringement, therefore Defendant's internal documentation regarding its generic product are not relevant
DX-149	BARR-DR-184637	BARR-DR-184667	Appendix A-Bioanalytical Study Audit Checklists	401, 402, 403 -- Defendant has stipulated to infringement, therefore Defendant's internal documentation regarding its generic product are not relevant
DX-150	BARR-DR-184668	BARR-DR-184700	Appendix B-Standard Operating Procedures Reviewed for Drospirenone/EthinylEstradiol tablets	401, 402, 403 -- Defendant has stipulated to infringement, therefore Defendant's internal documentation regarding its generic product are not relevant
DX-151	BARR-DR-184701	BARR-DR-184703	Appendix C-Summary of Batch reject/Reassay Data for Drospirenone Method Validation, Fed and Fasted Studies AA06362-CPL (Fed) and AA6355-CPJ (Fasted)	401, 402, 403 -- Defendant has stipulated to infringement, therefore Defendant's internal documentation regarding its generic product are not relevant

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-152	BARR-DR-033552	BARR-DR-033555	Tab 9 of Barr's ANDA	401, 402, 403 -- Defendant has stipulated to infringement, therefore Defendant's internal documentation regarding its generic product are not relevant
DX-153	SBPL 00076331	SBPL 00076334	Letter re IND No. 51,693 Submission	
DX-154	BARR-DR-037000	BARR-DR-037013	Letter to Berlex Laboratories and Schering	401, 402, 403; 801, 802 -- Defendant's ANDA (iv) notice letter is not relevant, also inadmissible hearsay
DX-155	SBPL 00710845	SBPL 00710854	Berlex letter to the FDA re IND 51,693	
DX-156	SBPL 00101997	SBPL 00102030	Annual report filed with FDA re IND 51,693	
DX-157	SBPL 00263112	SBPL 00263114	Letter to the FDA re NDA 21-098	
DX-158	SBPL 00429221	SBPL 00429266	Research Report A892	
DX-159	SBPL 03501725	SBPL 03501734	Information Disclosure Statement to PTO	
DX-160			Robert Burtner, <i>Structure-Activity Relationships of Some Aldosterone Antagonists, Hormonal Steroids, Biochemistry, Pharmacology and Therapeutics: Proceedings of the First International Congress on Hormonal Steroids</i> , 2:31-41 (1965)	
DX-161			G.T. McInnes, <i>Effect of Micronization on the Bioavailability and Pharmacologic Activity of Spironolactone</i> , <i>Journal of Clinical Pharmacology</i> , August-September 1982, Vol. 22(8-9), at 410-17.	
DX-162			U.S. Patent No. 4,904,462	

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DX-163			U.S. Patent No. 6,121,465	
DX-164			Basic Information for the Chemical Prorenone	801, 802 -- inadmissible hearsay
DX-165			Joseph A. DiMasi, Ronald Hansen, Henry G. Grabowski, <i>The Price of Innovation: New Estimates of Drug Development Costs</i> , 22 Journal Health Economics 151-185 (2003).	801, 802 -- inadmissible hearsay
DX-166			Jim Gilbert, Preston Henske and Ashish Singh, Bain & Co, <i>Rebuilding Big Pharma's Business Model</i> , IN VIVO Vol. 21., No. 10, November 2003.	801, 802 -- inadmissible hearsay
DX-167			U.S. Patent No. 4,012,497	
DX-168			U.S. Patent No. 4,230,686	
DX-169			Overview of the Hatch-Waxman Act	801, 802 -- inadmissible hearsay; this is an article authored by one of Defendant's experts, it cannot be used to prove the truth of what it asserts
DX-170			IMS TRx Data	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-171			IMS Prescription Data	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer-Schering Objection
DX-172			Spreadsheet re Sales 2001 - 2006	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-173			Spreadsheet re Berlex Laboratories Produce Contribution Margin Statement	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-174			Spreadsheet re Yasmin Detailing Costs 2001 - 2007	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-175			Spreadsheet re Retail Value of Samples	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-176			Spreadsheet re Direct-to-Consumer Advertising	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-177			Spreadsheet re Yasmin promotional Expenses 2000 - 2007	801, 802 -- hearsay not within any exception; this document is not one of Plaintiffs' business records, but was prepared by Defendant's expert
DX-178	SBPL 00267443	SBPL 00267445	FDA Meeting Minutes	
DX-179	SBPL 00205221	SBPL 00205222	FDA Meeting Minutes	
DX-180	SBPL 00263512	SBPL 00263513	FDA Meeting Minutes	
DX-181	SBPL 00263397	SBPL 00263398	FDA Meeting Minutes	
DX-182	SBPL 00076363	SBPL 00076364	FDA Contact Report	
DX-183	SBPL 00076354	SBPL 00076359	FDA Contact Report	
DX-184	SBPL 00076351	SBPL 00076353	FDA Contact Report	
DX-185	SBPL 00076345	SBPL 00076347	FDA Contact Report	
DX-186	SBPL 00076336	SBPL 00076336	FDA Contact Report	
DX-187	SBPL 00076642	SBPL 00076661	FDA Contact Report	
DX-188	SBPL 00076622	SBPL 00076623	FDA Contact Report	
DX-189	SBPL 00076561	SBPL 00076567	FDA Contact Report	
DX-190	SBPL 00076524	SBPL 00076524	FDA Contact Report	
DX-191	SBPL 00264912	SBPL 00264912	FDA Contact Report	
DX-192	SBPL 00264911	SBPL 00264911	FDA Contact Report	
DX-193	SBPL 00685751	SBPL 00685805	Investigator's Brochure	
DX-194	SBPL 00000341	SBPL 00000569	Yasmin NDA Summary	
DX-195	SBPL 00000082	SBPL 00000084	NDA Cover Letter	
DX-196	SBPL 00041727	SBPL 00041824	Yasmin NDA: Integrated Summary of Efficacy	
DX-197	SBPL 02775917	SBPL 02775923	K.S. Parsey and A. Pong, <i>An Open-Label Multicenter Study to Evaluate Yasmin, and Low-Dose Combination Oral Contraceptive Containing Drospirenone, a New Progestogen</i> , Contraception, 2000;61:105-111	801, 802 -- hearsay not within any exception
DX-198	SBPL 00479328	SBPL 00479330	Letter from FDA	
DX-199			Robert E. Notari, Biopharmaceutics & Clinical Pharmacokinetics, 123-124 (3d ed. 1980)	
DX-200			Hardy et al., Drug Delivery to the Gastrointestinal Tract, 83-96 (1989)	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-201			US Pharmacopeia 1790-99 (23 revision 1995)	
DX-202			Clive G. Wilson & Neena Washington, <i>Physiological Pharmaceutics: Biological Barrier to Drug Absorption</i> , 47-70 (1989)	
DX-203			S. S. Davis, I. O. Hardy, and J. W. Fara, <i>Transit of Pharmaceutical Dosage Forms Through the Small Intestine</i> , Gut, 27, 886-892, 889 (1986).	
DX-204	SBPL 02087480	SBPL 02087627	Working Report LY76	
DX-205	SBPL 02401763	SBPL 02401797	Working Report KE 84	
DX-206	SBPL 02086580	SBPL 02086630	Working Report KQ91E020	
DX-207	SBPL 00099668	SBPL 00099668	FDA Meeting Minutes	Exhibit is incomplete, missing pages
DX-208			U.S. Patent No. 5,084,277	
DX-209			U.S. Patent No. 5,116,619	
DX-210			Fotherby, K., "Bioavailability of Orally Administered Sex Steroids Used in Oral Contraception and Hormone Replacement Therapy," Contraception, No. 54, pp.59-69, Elsevier Science, Inc., 1996	
DX-211			Ulrike Fuhrmann, et al., "The Novel Progestin Drospirenone and its Natural Counterpart Progesterone: Biochemical Profile and Antiandrogenic Potential," Contraception, Vol. 54, 243-251, 1996	
DX-212			U.S. Patent No. 4,196,188	
DX-213			Wayne S. Maxson, Joel T. Hargrove, "Bioavailability of Oral Micronized Progesterone," Fertility and Sterility, Vol. 44, No. 5, 822-26, 1985.	
DX-214			U.S. Patent No. 3,146,244	
DX-215			WO 95/17194 (US 5,583,129)	
DX-216			WO 95/26730 (US 5,756,490)	
DX-217			U.S. Patent No. 5,827, 843	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-218			WO 98/27929	
DX-219			National Formulary 1799-1951 (18 th ed. 1995)	
DX-220	M-P 00002328	M-P 00002328	Interview Summary for 4/6/2004	
DX-221	M-P 00000025	M-P 00000039	Fax re Form 1449 and list of claims	
DX-222	M-P 00000133	M-P 00000149	Fax re Patent Application No. 09/654,227	
DX-223	SBPL 03500665	SBPL 03500669	PubMed for Shah Prior Art Reference	
DX-224	SBPL 03500450	SBPL 03500464	Schering Document from Information Services and Library 7/22/2002	
DX-225	SBPL 03500648	SBPL 03500659	Montel et al., <i>Development of a New Tablet Formulation of Theophylline; In vitro and in vivo Studies</i> , Drug Development and Industrial Pharmacy, 1983, Vol. 9(3), at 399-420.	
DX-226	SBPL 03501165	SBPL 03501169	Kohno et al., <i>Pharmacokinetics and bioavailability of diltiazem</i> , Abstract of <i>Arzneimittel Forschung</i> , 1977, Vol. 27(7), at 1424-1428.	
DX-227			P. Muhn et al., <i>Drospirenone: A Novel Progestogen with Antimineral-corticoid and Antiandrogenic Activity</i> . <i>Contraception</i> . 1995; 51:99-110.	
DX-228			M.J. Rosenberg et al., <i>Compliance, Counseling and Satisfaction with Oral Contraceptives: A Prospective Evaluation, Family Planning Perspectives</i> 1998; 30(2): 89-92 & 104	
DX-229			M.J. Rosenberg and M.S., Waugh, <i>Oral Contraceptive Discontinuation: A prospective Evaluation of Frequency and Reasons</i> . <i>Am J. Obstet. Gynecol.</i> 1998; 179:577-82	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-230			M. Rosenberg et al., <i>Use and Misuse of Oral Contraceptives: Risk Indicators for Poor Pill Taking and Discontinuation</i> , Contraception 1995; 51:283-88	
DX-231			D. Grimes and K. Schulz, <i>Surrogate end Points in Clinical Research: Hazardous to Your Health</i> . Obstetrics & Gynecology. May 2005; 105(5): 1114-1118	
DX-232			J. Goldzieher and S. Brody, <i>Pharmacokinetics of Ethinyl Estradiol and Mestranol</i> , Am. J. Obstet. & Gynecol. 1990; 163(6): 2114-19	
DX-233			W. Moster and C. Bachrach, <i>Understanding U.S. Fertility: Continuity and Change in the National Survey of Family Growth, 1988-1995</i> , Family Planning Perspectives 1996; 28:4-12;	
DX-234			T.O. Dieben et al. <i>Efficacy, Cycle Control, and User Acceptability of a Novel Combined Contraceptive Vaginal Ring. Women's Efforts to Prevent Pregnancy: Consistency of Oral Contraceptive Use</i> , Family Planning Perspectives. 1998; 30(1): 19-23	
DX-235	SBPL 03500853	SBPL 3500853	Study Initiation Visit Report	
DX-236	SBPL 00090500	SBPL 00090627	Study No. 9776	
DX-237	SBPL 00089793	SBPL 00090215	Study No. A470	
DX-238	SBPL 00088054	SBPL 00089248	Study No. 9274	
DX-239	SBPL 00022666	SBPL 00023055	Study No. AE91	
DX-240	SBPL 00038470	SBPL 00039354	Study No. AG44	
DX-241	SBPL 00028061	SBPL 00029032	Study No. AH37	
DX-242	SBPL 00014281	SBPL 00015088	Study No. AI98	
DX-243	SBPL 00014767	SBPL 00015168	Study No. AI99	
DX-244	SBPL 00029762	SBPL 00030990	Study No. AM91	
DX-245	SBPL 00023518	SBPL 00024576	Study No. AL84	

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DX-246	SBPL 00027259	SBPL 00028060	Study No. AM90	
DX-247	SBPL 00029034	SBPL 00029761	Study No. AM80	
DX-248	SBPL 02404120	SBPL 02404120	Study Report A370	Exhibit is incomplete, missing pages
DX-249			William E. Evans, Applied Pharmacokinetics: Principles of Therapeutic Drug Monitoring 20-34 (3d ed. 1992)	
DX-250			German Patent DE 3022337 (English version)	
DX-251			U.S. Patent No. 4,927,816	
DX-252			Melgardt M. De Villiers, <i>Influence of Cohesive Properties of Micronized Drug Powders on Particle Size Analysis</i> , Journal of Pharmaceutical & Biomedical Analysis, Vol. 13, No. 3, 191-198, 1995	
DX-253			U.S. Patent No. 4,826,831	
DX-254			U.S. Patent Application No. 08/535,402	
DX-255			Edward R. Garrett, Chong Min Won, <i>Prediction of Stability in Pharmaceutical Preparations XVI: Kinetics of Hydrolysis of Canrenone and Lactonization of Canrenoic Acid</i> , Journal of Pharmaceutical Sciences, Vol. 60, No. 12, 1801-09, 1971	
DX-256	M-P 00000858	M-P 00000858	Opposition to European Patent, August 19, 2004	Exhibit is incomplete, missing pages
DX-257	BARR-DR-025580	BARR-DR-025589	H. Hess, et al., <i>Mischversuche mit Nieder Dosierten Wirkstoffen und Verschiedenen Exzipientien</i> , Acta Pharmaceutica Technologica, Vol. 21, No. 4, 245-254, 1994	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-258	SBPL 00541285	SBPL 00541292	U. Gaspard, et al., <i>A Randomized Study over 13 Cycles to Assess the Influence of Oral Contraceptives Containing Ethinylestradiol Combined with Drospirenone or Desogestrel on Carbohydrate Metabolism</i> , Contraception, An International Journal, Vol. 67, Number 6, 2003, 423-429	801, 802 -- hearsay, document is not prior art
DX-259			Physician's Desk Reference, (50th ed. 1996)	
DX-260			Leon Lachman, Herbert A. Lieberman, Joseph L. Kanig, "The Theory and Practice of Industrial Pharmacy," (2d ed. 1976)	
DX-261			Leon Lachman, Herbert A. Lieberman, Joseph L. Kanig, "The Theory and Practice of Industrial Pharmacy," (3d ed. 1986)	
DX-262			"Encyclopedia of Pharmaceutical Technology" (James Swarbrick & James C. Boylan eds., vol. 4, 1991)	
DX-263			J. Haleblan, et. al., <i>Steroid Release from Silicone Elastomer Containing Excess Drug in Suspension</i> , Journal of Pharmaceutical Sciences, Vol. 60, No. 4, 541-45, 1971	
DX-264			Ang, et. al., <i>Radionuclide Measurement of Liquid and Solid Gastric Emptying in Normal Subjects in Singapore</i> , Ann Acad Med Singapore, 1986 Oct;15(4):511-5.	
DX-265			Dr. H. Hess et al., <i>Mixing Experiments with Low Dosed Active Ingredients and Various Excipients</i> , Acta Pharmaceutica Technologica, 1975, Vol. 21(4), at 245-54.	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-266	BARR-DR-025590	BARR-DR-025596	N.H. Shah et al., <i>Strategies in the Development of a Tablet Formulation of a Poorly Soluble Drug for Double-Blind Clinical Studies</i> , Pharmaceutical Technology, September 1994, at 152-60.	
DX-267			J.C. Shah et al., <i>Preformulation Study of Etoposide: II Increased Solubility and Dissolution Rate by Solid-Solid Dispersions</i> , International Journal of Pharmaceutics, 1995, Vol. 113, at 103-11.	
DX-268			Brazilian Patent Application No. 0014159-3, English Translation, at 553-58.	801, 802, 901 -- No certification for the English translation
DX-269			Brazilian Patent Application No. 0014159-3, English Translation, at 494-513.	801, 802, 901-- No certification for the English translation
DX-270			Brazilian Patent Application No. 0014159-3, English Translation, at 483-89.	801, 802, 901 -- No certification for the English translation
DX-271			Brazilian Patent Application No. 0014159-3, English Translation, at 447-57.	801, 802, 901-- No certification for the English translation
DX-272			Brazilian Patent Application No. 0014159-3, English Translation, at 434-40.	801, 802, 901 -- No certification for the English translation
DX-273	SBPL 02666823	SBPL 02666883	Masterplan (Version Feb. 1997)	
DX-274	SBPL 02400075	SBPL 02400096	Minutes of the 5th Meeting of the DRSP Team	
DX-275	SBPL 02413091	SBPL 02413100	Correspondence from Sharon Brown to Dr. Lisa Rarick	
DX-276	SBPL 02400396	SBPL 02400403	Minutes from the 3rd Meeting of DRSP Team	
DX-277	SBPL 02421792	SBPL 02421844	Masterplan (Version Aug. 95)	
DX-278	SBPL 02399910	SBPL 02399914	7 th Project Team Meeting	
DX-279	SBPL 02400206	SBPL 02400209	Memo re Minutes - OC Project Team Meeting & DRSP Meeting with Dr. Heithecker	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-280	SBPL 00450714	SBPL 00450720	Monitoring Interim Visit Report for Trial No. 92052	
DX-281	SBPL 00605103	SBPL 00605104	Agreement between Dr. Ellman/Berlex and study investigator (Dr. Henry)	
DX-282			Guidance for Industry, "Waiver of In Vivo Bioavailability and Bioequivalence Studies for Immediate-Release Solid Oral Dosage Forms Based on a Biopharmaceutics Classification System", August 2000, p. 2	801, 802 -- hearsay, document is not prior art
DX-283			HighBeam Research, "Women lean toward benefits of Yasmin birth-control pill" Chicago Tribune (Chicago, IL), February 21, 2003, Byline: Wendy Navratil http://www.highbeam.com/DocPrint.aspx?DocId=1G1:119480305	
DX-284			HighBeam Research, "Oh, the irony: The Pill sometimes slows libido" Chicago Sun-Times, December 10, 2004, by Lauren Streicher http://www.highbeam.com/DocPrint.aspx?DocId=1P2:1558356	
DX-285			HighBeam Research, "Weight-weary women flock to new Pill" Chicago Sun-Times, October 8, 2002, by Anne Marie Chaker http://www.highbeam.com/DocPrint.aspx?DocId=1P2:1457623	
DX-286			HighBeam Research, "First Oral Contraceptive With New Class of Progestin, YASMIN(R), Now Available in Pharmacies." PR Newswire, June 21, 2001 http://www.highbeam.com/DocPrint.aspx?DocId=1G1:75707729	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-287			HighBeam Research, "Two Serotonergic Antidepressants, Novel OC Promising for PMS, PMDD." OB GYN News, July 1, 2001, by Kathryn Demott http://www.highbeam.com/DocPrint.aspx?DocId=1G1:76877649	
DX-288			HighBeam Research, "Novel OCs May Ease Menses Symptoms. (oral contraceptives)" Clinical Psychiatry News, July 1, 2001, by Kathryn Demott http://www.highbeam.com/DocPrint.aspx?DocId=1G1:77875255	
DX-289			HighBeam Research, "Why all the hype about the new Yasmin pill?" (Cosmo Gyno). (mild diuretic may cause some weight loss) (Brief Article) Cosmopolitan, April 1, 2003, by Rachel Grumman http://www.highbeam.com/DocPrint.aspx?DocId=1G1:100544412	
DX-290			HighBeam Research, "Birth control/weight-loss pill." (Expert Advice on Health and Fitness). (Yasmin new contraceptive seems to contribute to weight loss) (Brief Article) Ebony, December 1, 2002 http://www.highbeam.com/DocPrint.aspx?DocId=1G1:97729811	
DX-291			MedicineNet.com http://www.medicinenet.com/script/main/art.asp?articlekey=892&pf=3&page=1	801, 802 -- hearsay, document is not prior art
DX-292			"Berlex Laboratories Announces FDA approval of YASMIN®, new oral contraceptive with unique progestin", Berlex press release May 14, 2001, reprinted in Science Blog, May 2001, Porter Novelli, http://scienceblog.com/community/older2001/C200113918.html .	801, 802 -- hearsay, document is not prior art

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DX-293			http://www.fda.gov/ceder/warn/2003/11730.pdf .	401, 402, 403 -- irrelevant to any claim or defense at issue; prejudicial against Plaintiffs
DX-294	SBPL 01006163	SBPL 01006322	Schering Annual Report 2003	
DX-295	SBPL 01007305	SBPL 01007460	Schering Annual Report 2004	
DX-296	SBPL 01006808	SBPL 01006962	Schering Annual Report 2002	
DX-297	SBPL 02447195	SBPL 02447204	19th Project Team Meeting	
DX-298	SBPL 02580785	SBPL 02580788	FDA Letter on Yasmin Promotion	
DX-299	SBPL 02588858		Table for Yasmin Marketing Strategies 2002	
DX-300	SBPL 02590637	SBPL 02590659	Yasmin Pro-Forma: Aggressive Scenario	
DX-301	SBPL 02590709	SBPL 02590716	Yasmin Pro-Forms Tactical Details	
DX-302	SBPL 02602540	SBPL 02602542	Yasmin DTC TV Q&A	
DX-303	SBPL 02630472	SBPL 02630479	Yasmin Net Sales 3 months/6 months Post-Launch	
DX-304	SBPL 02600240	SBPL 02600242	Correspondence between Dr. P. Schewe and Don Atkinson	
DX-305	SBPL 02615974	SBPL 02615978	Southeast Area Business Plan 2005	
DX-306	SBPL 01007741	SBPL 01007751	Schering considerations for investing in American Depositary Receipts	
DX-307	SBPL 02631760	SBPL 02631770	Yasmin Campaign Tracking and Reporting Data (2004)	
DX-308	SBPL 02578678	SBPL 02578691	Yasmin Agency Briefing	
DX-309	SBPL 02672574	SBPL 02672577	FHC West 2001 Yasmin Business Plan	
DX-310	SBPL 02672083	SBPL 02672204	Presentation re DRSP-OC 2004 Business Plan	
DX-311	SBPL 02634252	SBPL 02634257	2003 E07 District Business Plan (Sacramento District)	
DX-312	SBPL 02305854	SBPL 02305863	OHS from Project Team Meeting from J. Frick	
DX-313	SBPL 00075827	SBPL 00075837	24th Project Team Meeting	
DX-314	SBPL 02574362	SBPL 02574364	Yasmin Pricing Considerations	
DX-315	SBPL 02589265	SBPL 02589269	Sample Advertisement	
DX-316	SBPL 02600321		Email re Price Recommendation for Yasmin	
DX-317	SBPL 02601966		Email re Yasmin Average Net Price 2003	
DX-318	SBPL 02631131	SBPL 02631132	Email re Yasmin Pricing	

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DX-319	SBPL 02602593		Recommended Price Increase for Yasmin Fact Sheet	
DX-320	SBPL 02611777	SBPL 02611961	Excerpt from EURAS report for Case Number 1000327010	
DX-321	SBPL 02613821		Email re Yasmin price increase	
DX-322	SBPL 02629482		Email re Yasmin price increase recommendation	
DX-323	SBPL 02629669	SBPL 02629669	Email re Yasmin year end	
DX-324	SBPL 02630480		Email re Yasmin best price	
DX-325	SBPL 02633074	SBPL 02633085	Berlex Executive Summary for 1/2003	
DX-326	SBPL 02632940	SBPL 02632948	Berlex Executive Summary for 5/17/2002	
DX-327	SBPL 02631397	SBPL 02631399	NHA Managed Care Focus Spring 2002	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-328	SBPL 02570916	SBPL 02570940	Yasmin NHA Update	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-329	SBPL 02634544	SBPL 02634555	Berlex Executive Summary for 3/2003	
DX-330	SBPL 02574341	SBPL 02574343	Key Findings from Yasmin's Advisory Board Meeting	
DX-331	SBPL 02629033	SBPL 02629036	Email re Kaiser Conference Call	
DX-332	SBPL 02599683	SBPL 02599736	Kaiser net sales	
DX-333	SBPL 02571783	SBPL 02571790	Yasmin Launch Review	
DX-334	SBPL 02577153	SBPL 02577163	Yasmin Forecasting Model	
DX-335	SBPL 02577164		Yasmin Forecast Numbers (2001-2003)	
DX-336	SBPL 02577189	SBPL 02577202	Yasmin's Managed Care Plans	
DX-337	SBPL 02577261	SBPL 02577262	NHA Plan for Yasmin	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-338	SBPL 02577399	SBPL 02577409	Yasmin's Plan Forecast Model	
DX-339	SBPL 02588859	SBPL 02588914	Yasmin-"Where are we today?" Presentation	
DX-340	SBPL 02638856	SBPL 02638858	Berlex Labs January Operations Commentary	
DX-341	SBPL 01006554	SBPL 01006586	Business Treads: Schering AG Group	
DX-342	SBPL 02570528	SBPL 02570541	Yasmin Creative Storyboard Exploratory Qualitative Research Report	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-343	SBPL 02600460	SBPL 02600463	Storyboard Exploratory Discussion Guide	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-344	SBPL 02599165	SBPL 02599169	Consumer Discussion Guide from Paragon Research Consulting	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-345	SBPL 02578288	SBPL 02578289	Email re Print Ad Concept Testing	
DX-346	SBPL 02631501	SBPL 02631506	Memo re Topline Findings-Yasmin Advertising Concept Research	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-347	SBPL 02570705	SBPL 02570719	Yasmin as compared to Ortho-Tri-Cyclen, Ortho-Tri-Cyclen Lo and Ortho Evra	
DX-348	SBPL 02588942	SBPL 02588952	Yasmin as compared to Ortho-Tri-Cyclen, Ortho-Tri-Cyclen Lo and Ortho Evra	
DX-349	SBPL 02591906	SBPL 02591917	Yasmin as compared to Ortho-Tri-Cyclen Lo and Ortho Evra	
DX-350	SBPL 02592913	SBPL 02592918	Yasmin as compared to Ortho-Tri-Cyclen Lo and Ortho Evra	

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DX-351	SBPL 02600640	SBPL 02600652	Sample information for Yasmin (2001)	
DX-352	SBPL 02600755	SBPL 02600759	Sample information for Yasmin and Ortho Evra since Launch	
DX-353	SBPL 02602302	SBPL 02602317	Yasmin comparison against other OC in market	
DX-354	SBPL 02602331	SBPL 02602352	Yasmin comparison against Ortho Evra	
DX-355	SBPL 02606024	SBPL 02606025	IMS National Prescription Audit	
DX-356			IMS Master File labeled 185-07 IPS	
DX-357	SBPL 01017868	SBPL 01017873	Product Contribution Margin Statement (1998-mid 2006)	
DX-358	SBPL 01017874	SBPL 01017875	2006-2007 Actual Month and Year to Date Information (Product Contribution Margin Statements	
DX-359	SBPL 02577399	SBPL 02577409	Yasmin OC Forecast Model	
DX-360	SBPL 00102254	SBPL 00102268	Yasmin Business Plan	
DX-361	SBPL 01006163	SBPL 01006222	2003 Annual Report	
DX-362	SBPL 01010177	SBPL 01010318	SEC Form 20-F/A for Schering Aktiengesellschaft	
DX-363	SBPL 01014462	SBPL 01017086	Eidetics Managed Care's Reaction to Yasmin	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-364	SBPL 02574362	SBPL 02574364	Yasmin Pricing Considerations	
DX-365	SBPL 02578280	SBPL 02578281	Email re Yasmin TV Rollout ROI Projection	
DX-366	SBPL 02570916	SBPL 02570924	Yasmin NHA Update Presentation	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-367	SBPL 02570944	SBPL 02570945	Memo re Field Force Generated Reminder Items for Yasmin	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-368	SBPL 02571051	SBPL 02571052	Client Contact Report re PCP Direct Mail Sample Program	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-369	SBPL 02571055	SBPL 02571055	Client Contact Report re Education Flipchart	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-370	SBPL 02571063		Client Contact Report re New Professional Journal Ad for 2003	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-371	SBPL 02577203	SBPL 02577205	Action Items with Timelines and person(s) Accountable	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-372	SBPL 02577429	SBPL 02577430	Contact Report with Berlex, RTC and McCann re 2003 plans for Yasmin to leverage ideas	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-373	SBPL 02578282	SBPL 02578283	Memo re Yasmin TV Awareness Tracking	
DX-374	SBPL 02578277	SBPL 02578279	Memo re Yasmin Consumer Print Ad Testing	
DX-375	SBPL 02578288	SBPL 02578289	Memo re Yasmin Print Ad Concept Testing	
DX-376	SBPL 02579421	SBPL 02579422	Letter re Yasmin 2003 DTC Budget Summary	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-377	SBPL 02579450	SBPL 02579732	Contact Report re plan for TV development for Yasmin Heavy-up spending test	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-378	SBPL 02580756	SBPL 02580758	Memo re Yasmin Qualitative Ad Testing	
DX-379	SBPL 02580793	SBPL 02580796	Yasmin 2003 DTC Budget Recap	
DX-380	SBPL 02588981	SBPL 02588982	Client Contact Report re concepts for POA3 Materials	
DX-381	SBPL 02589226		Recommended Price Increase for Yasmin Fact Sheet	
DX-382	SBPL 02589979	SBPL 02589980	Contact Report re Yasmin "Right Guy" Ad	
DX-383	SBPL 02591237	SBPL 02591238	2003 Yasmin Incentive Plan	
DX-384	SBPL 02598588	SBPL 02598590	Memo re Updated Minutes/Action items from 3/7/01 Team Meeting	
DX-385	SBPL 02598904	SBPL 02598905	Email re Yasmin US Outlook	
DX-386	SBPL 02594457	SBPL 02594458	Email re Yasmin TV Guide: October	
DX-387	SBPL 02594604		Email re Yasmin Sales target for 2003	
DX-388	SBPL 02594611		Email re Yasmin TV results through November	
DX-389	SBPL 02599165	SBPL 02599169	Paragon Research Consulting Consumer Discussion Guide	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-390	SBPL 02599683	SBPL 02599686	Kaiser net sales 2003-2004	
DX-391	SBPL 02600240	SBPL 02600242	Email re Yasmin Performance and Advertisement	
DX-392	SBPL 02600460	SBPL 02600463	Storyboard Exploratory Discussion Guide	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-393	SBPL 02600755	SBPL 02600759	Sample information of Yasmin and Ortho Evra since Launch	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-394	SBPL 02601967	SBPL 02601975	Email re Yasmin Growth	
DX-395	SBPL 02631131	SBPL 02631132	Email re Followup from Our Meeting	
DX-396	SBPL 02631397	SBPL 02631399	NHA Manage Care Focus	801, 802 -- hearsay not within any objection, this document is not one of Plaintiffs' business records
DX-397	SBPL 02632940	SBPL 02632948	Berlex Executive Summary for Weeks ending 5/17/2002	
DX-398	SBPL 02638856	SBPL 02638858	Berlex Labs January Operations Commentary	
DX-399	SBPL 02574341	SBPL 02574343	Key Findings From Yasmin Advisory Board Meeting	
DX-400	SBPL 02580785	SBPL 02580788	FDA Letter on Yasmin Promotion/DTC	
DX-401	SBPL 00923241	SBPL 00923243	Email re UK Yasmin study 305043	
DX-402			Albert I. Goldberg, <i>Short Report: Physician Assessments of Patient Compliance With Medical Treatment</i> , Soc. Sci. Med. Vol. 47, No. 11, 1873-1876, 1998	801, 802 -- hearsay not within any objection, offered to show truth of the matter asserted
DX-403			Hiromu Kondo, et al., <i>Characteristics Of The Gastric pH Profiles Of Unfed And Fed Cynomolgus Monkeys As Pharmaceutical Product Development Subjects</i> , Biopharmaceutics & Drug Disposition, 24:45-51 (2003)	
DX-404	SBPL 03500000	SBPL 03501835	Prosecution History for U.S. Patent No. 6,787,531	
DX-405			Arrowsmith-Lowe CV	
DX-406			Bhavnani CV	
DX-407	SBPL 00531336		Blode CV	
DX-408			Boghigian CV	
DX-409			Chambliss CV	
DX-410	SBPL 02517080	SBPL 02511781	Duesterberg CV	
DX-411	M-P 00000956		Duesterberg CV	
DX-412	M-P 00000216		Elliesen CV	
DX-413			Foster CV	

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DX-414	SBPL 02460629	SBPL 02460630	Funke CV	
DX-415	SBPL 00204587		Heithecker CV	
DX-416	SBPL 02306866		Huempel CV	
DX-417	M-P 00002187	M-P 00002195	Lipp CV	
DX-418			McGinity CV	
DX-419			Mossinghoff CV	
DX-420			Nixon CV	
DX-421			Pramar CV	
DX-422	SBPL 00443657	SBPL 00443658	Schellschmidt CV	
DX-423			Schollkopf CV	
DX-424			Shulman CV	
DX-425			Winkel CV	
DX-426	SBPL 02412930	SBPL 02412937	Minutes from the 4th Meeting of DRSP Team	
DX-427	SBPL 02412783	SBPL 02412795	Masterplan	
DX-428	SBPL 02451087	SBPL 02451089	Status Report	
DX-429	SBPL 00024578	SBPL 00027258	Study Report No. 98180	
DX-430	SBPL 02460631	SBPL 02460643	Presentation re Oral Immediate Release Formulation of DRSP	
DX-431	SBPL 02314228	SBPL 02314239	22nd Project Team Meeting Minutes	
DX-432	SBPL 00002072	SBPL 00002083	Research Report No. A982	
DX-433	SBPL 00015429	SBPL 00015444	Research Report No. 7215	
DX-434	SBPL 02521443	SBPL 02521449	Contract for the Performace of a Clinical Trial	
DX-435	SBPL 02399783	SBPL 02399784	Letter re Berlex Protocol 96049	
DX-436	SBPL 00770347	SBPL 00770347	E-mail re Drug Accountability	
DX-437			Susan Budavari, The Merck Index 3513 (12th Ed. 1996)	
DX-438			James W. McGinity et al., <i>The Influence of Various Dispersion Methods on the Rate of Dissolution of Sulfabenzamide</i> , Drug Development Communications 1(5), 369-387 (1974-1975).	
DX-439			Barr Laboratories, Inc.'s Notice of Deposition of Dr. Herman Ellman	401, 402, 403 -- notice of deposition not relevant evidence
DX-440	SBPL 02461119	SBPL 02461126	DRSP-GastroPlus Simulation Effects of Particle Size and Dissolution on Predicted Bioavailability, T,C and AUC	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-441	SBPL 02461083	SBPL 02461092	DRSP GastroPlus Simulation Final Assessment of DRSP Particle Size Effect on Bioavailability (AUC, c max)	
DX-442	SBPL 02461111	SBPL 02461111	E-mail memo re Meeting on DRSP/Formulation	401, 402, 403 -- irrelevant, refers to privileged meeting where privileged communications took place
DX-443			Barr Laboratories, Inc.'s Notice of Deposition of Dr. Wolfgang Heil	401, 402, 403 -- notice of deposition not relevant evidence
DX-444			Plaintiffs Objections and Responses to Defendant's Rule 30(b)(6) Notice	401, 402, 403 -- objections to 30(b)(6) designations are not relevant evidence
DX-445			Barr Laboratories, Inc.'s Amended Notice of Deposition of Dr. Heithecker	401, 402, 403 -- notice of deposition not relevant evidence
DX-446	SBPL 02902458	SBPL 02902468	Research Report No. 4320/H	
DX-447			Barr Laboratories Inc.'s Notice of Deposition of Dr. Lipp	401, 402, 403 -- notice of deposition not relevant evidence
DX-448			Letter from Eli Lilly and Company re Dr. Lipp's employment	
DX-449			Barr Laboratories, Inc.'s Notice of Deposition of Jutta Pospisil	401, 402, 403 -- notice of deposition not relevant evidence
DX-450			Barr Laboratories, Inc.'s Notice of Deposition of Plaintiffs Pursuant to Fed. R. Civ. P. 30(b)(6)	401, 402, 403 -- notice of deposition not relevant evidence
DX-451	SBPL 02797459	SBPL 02797478	Research Report No. 7797	
DX-452	M-P 00000159	M-P 00000181	Amendment re Inventorship Issues and Formal Matters	
DX-453	SBPL 00094182	SBPL 00099655	IND No. 51,693 File	

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Exhibit Number	Bates Number Begin	Bates Number End	Document Description	Bayer Schering Objection
DX-454			Schering NDA File	403 -- This document is over 70,000 pages in length. It is needlessly cumulative with numerous other exhibits that Barr has separately designated.
DX-455	BARR-DR-184719	BARR-DR-184724	FDA Tentative Approval Letter	
DX-456			U.S. Patent No. 5,583,129	
DX-461			J. C. Chaumeil, <i>Micronization: A method of Improving the Bioavailability of Poorly Soluble Drugs</i> , Meth. and Findings in Experimental and Clinical Pharmacology, Vol 20, no.3 (April 1998)	